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DEPARTMENT OF STATE

ACTION MEMORANDUM

S/S DEC 15 1972

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To: The Secretary

From: NEA - Joseph J. Sisco

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Proposed Release of the LIBERTY Transcript

Background:

The pro-Arab publicist, Norman Dacey, has requested the Navy to release to him the unclassified portions of the proceedings of the Naval Court of Inquiry convened to investigate the circumstances surrounding the June 8, 1967 Israeli attack on the USS LIBERTY. The Navy has concluded that its interests do not warrant withholding the requested material and that, in any case, to do so would likely contravene the Freedom of Information Act. Pursuant to a Navy request for clearance to release the pertinent sections of the transcript to Dacey, DOD has sought the views of the Department in the matter.

Implications:

The unclassified testimony during the LIBERTY inquiry gives a rather clear idea of the mission of the vessel, leaves open to speculation the possibility that the attack was not, as the Israelis claimed, an unfortunate case of mistaken identity, and portrays vividly the grisly scene aboard the ship during the assault and its immediate aftermath. While Dacey, particularly given his activist pro-Arab and anti-Israeli sympathies, might well attempt to exploit the transcript in a sensationalist fashion, the fact is that compliance with his request would add little of significance to what is already in the public domain concerning the incident. In this regard, the Navy long ago released the unclassified testimony of the Commanding Officer of the LIBERTY, which embodied the great majority of the potentially

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controversial revelations emerging from the hearings. Thus, we believe the public relations and possible legal risks of denying access by Dacey to the balance of the unclassified transcript outweigh the marginal contribution which such access might make to his ability to embellish accounts of the LIBERTY affair which have previously appeared in print.

Recommendation:

I recommend that you authorize me to inform DOD that we have no objection to the making available by the Navy of the unclassified record of the LIBERTY Court of Inquiry to any interested party, including Norman Dacey.

Approve [signature] 18 DEC 1972

Disapprove _____

Parker informed by telephone & will send copy & final correspondence to Navy.
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Drafted: NEA/IAI:GRCella:skg
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Concurrences: NEA/IAI:HHStackhouse
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